

**FINAL REPORT OF THE
VIRGINIA COMMISSION ON YOUTH**

Profile of the Female Juvenile Offender

**TO THE GOVERNOR AND
THE GENERAL ASSEMBLY OF VIRGINIA**



COMMISSION ON YOUTH DOCUMENT

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I. Authority for Study

Section 30-174 of the *Code of Virginia* establishes the Commission on Youth and directs it to "...study and provide recommendations addressing the needs of and services to the Commonwealth's youth and their families." This section also directs it to "...encourage the development of uniform policies and services to youth across the Commonwealth and provide a forum for continuing review and study of such services."

Under § 30-175 of the *Code of Virginia* the Virginia Commission on Youth has the power and duty to "undertake studies and to gather information and data in order to accomplish its purposes as set forth in § 30-174, and to formulate and present its recommendations to the Governor and the General Assembly." In addition, "at the direction or request of the legislature by concurrent resolution or of the Governor, or at the request of any department, board, bureau, commission, authority or other agency created by the Commonwealth or to which the Commonwealth is party, study the operations, management, jurisdiction or powers of any such department, board, bureau, commission, authority or other agency which has responsibility for services to youth."

The Commission on Youth elected to undertake a study of Female Offenders as one of its legislative initiatives for the 2002 study year.

II. Members

Members of the Commission on Youth are:

Del. Phillip A. Hamilton, Chair, Newport News
Del. Robert H. Brink, Arlington
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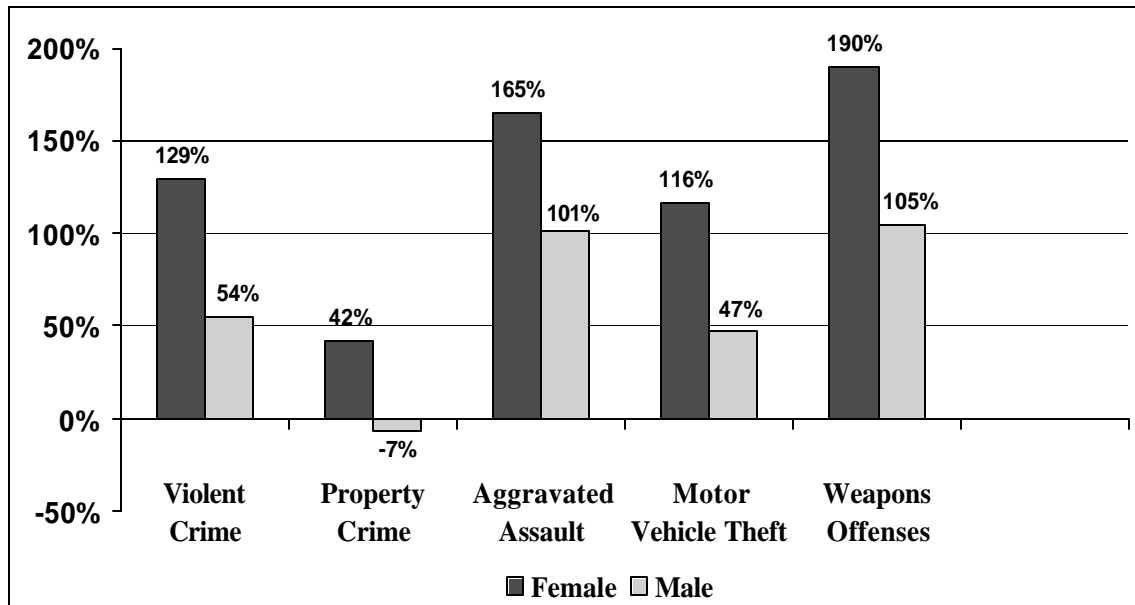
III. Findings

Historically, an accepted principle of criminal law has been that males of all ages are far more likely to commit offenses than their female counterparts. However, over the last two decades females have gained increased attention from the justice system due to dramatic increases in the percentage of female

arrests nationwide.¹ Juvenile females are no exception. From 1986 to 1995, the number of juvenile females arrested increased nationwide by 50%, compared to a 26% growth in the arrests of juvenile males.² As a result, the female proportion of juvenile arrests grew from 22 to 26% during this period.³ In 2000, 431,700 (28%) of the 1.56 million arrests of individuals under the age of 18 were female.⁴

Table 1

**Percentage Change of Female and Male Juvenile Arrests
Between 1981 and 1985**



Source: Eileen Poe-Yamagata. (1996). *A Statistical Overview of Females in the Juvenile Justice*. Pittsburgh, PA: National Center for Juvenile Justice.

This trend has also been observed in Virginia. Data collected by the Virginia Department of Juvenile Justice (DJJ) indicate that, while the overall number of commitments for all juveniles has fallen from Fiscal Year (FY) 95 to FY02, males have shown a greater decline (35%) than females (25%).⁵ Moreover, female commitments increased by 16% between FY01 and FY02, while the number of male commitments decreased by 4%.⁶

¹ Poe-Yamagata, Eileen and Jeffrey A. Butts. (1996). *Female Offenders in the Juvenile Justice System*. Pittsburgh, PA: National Center for Juvenile Justice.

² Ibid.

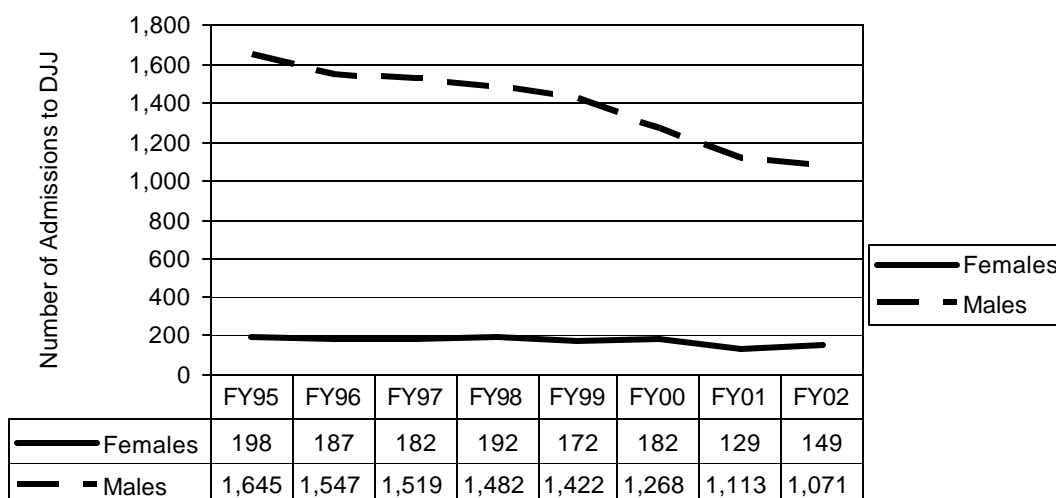
³ Ibid.

⁴ U.S. Department of Justice. Federal Bureau of Investigation. (2000). *Crime in the United States 2000: Uniform Crime Reports*. Washington, D.C.: U.S. Department of Justice.

⁵ Virginia Department of Juvenile Justice. (2002). *Profile of Female Offenders in Virginia*. Presentation prepared for the Virginia Commission on Youth by the DJJ Research and Evaluation Section using data from the Juvenile Tracking System.

⁶ Ibid.

Table 2
Commitments to the Virginia Department of Juvenile Justice
FY 1995-FY 2002



Source: Virginia Department of Juvenile Justice. (2002). *Profile of Female Offenders in Virginia*.

A. PATTERNS OF JUVENILE FEMALE OFFENDING

Nationally, the female percentage of juvenile arrests has increased in most offense categories during the last two decades.⁷ The most significant increases occurred in violent crime, property crime, and public order violations.⁸ It is important to note, however, that national patterns of female offending remain distinct from those of males. Most females are arrested for status and non-violent offenses such as running away and larceny, while males are more often arrested for violent crimes such as robbery and for drug offenses.⁹

During any given year, females comprise between 10 and 13 percent of all juvenile justice commitments in Virginia.¹⁰ However, they follow the national trend in that their crimes tend to be less serious and violent in nature than those of males. Of those females admitted in FY02, 64% were convicted of a felony, as opposed to 75% of males.¹¹

⁷ Snyder, Howard N. (2001). *Law Enforcement and Juvenile Crime, in Juvenile Offenders and Victims: National Report Series Bulletin*. December 2001. Washington, D.C.: U.S. Department of Justice. Office of Juvenile Justice and Delinquency Prevention.

⁸ Ibid.

⁹ Ibid.

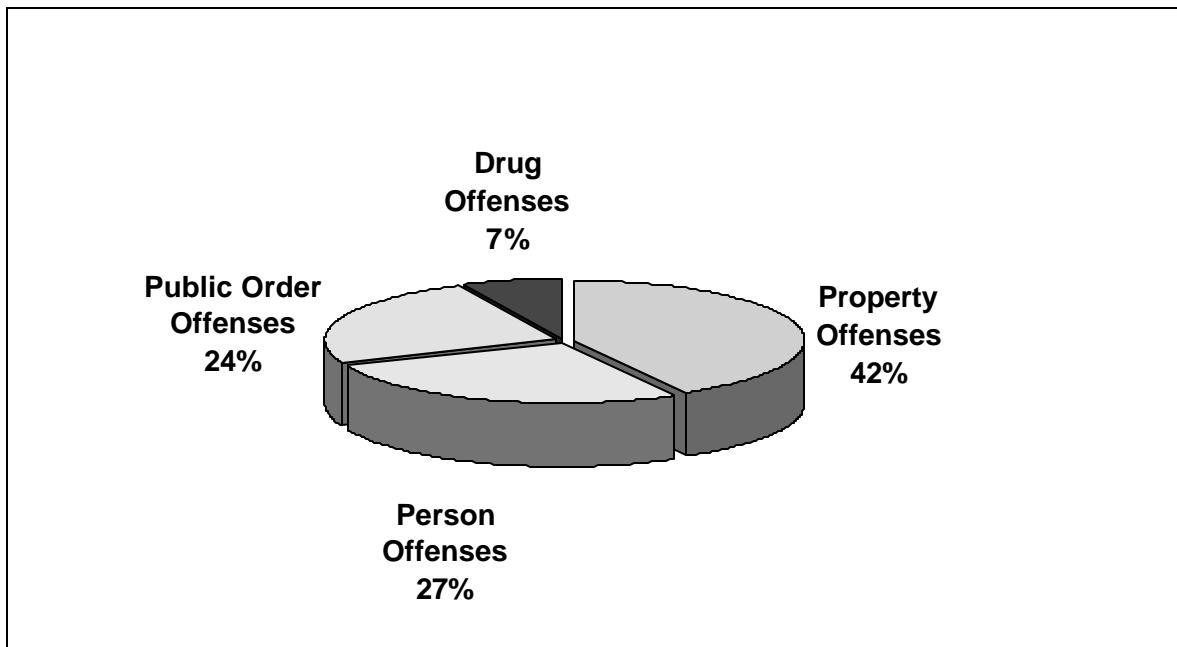
¹⁰ Virginia Department of Juvenile Justice.

¹¹ Ibid.

Moreover, data show that females are more likely than males to be admitted without a felony adjudication in either their current or prior offenses.¹² Virginia policymakers attempted to reduce these numbers in 2001 by altering the criteria for commitment for juveniles with misdemeanor offenses.¹³ This change affected female offenders more than males; female commitments decreased by 15.1% in 2001 as a result of the new criteria, while male commitments only decreased by 6.4%.¹⁴

Table 3

**Most Common Offenses for
Formally Processed Cases of Juvenile Female
in 1997**



Source: Office of Juvenile Justice and Delinquency Prevention. (2000). *Female Delinquency Cases, 1997*, in *OJJDP Fact Sheet*. November 2000.

1. Violent Crime

Nationally, the female percentage of juvenile violent crime arrests increased almost continuously over the last two decades, growing from 10% in 1980 to 17% in 1999.¹⁵ This trend has narrowed the gap between male and female arrest rates. In 1980, the juvenile male violent crime arrest rate was eight times greater than the female rate; however, by 1999, the male rate was just four times higher.¹⁶

¹² Ibid.

¹³ Ibid.

¹⁴ Ibid.

¹⁵ Snyder, *Law Enforcement and Juvenile Crime*.

¹⁶ Ibid.

This overall increase has been tied mainly to assault arrests. Table 4 shows that the percentage of female aggravated assault arrests grew from 15% in 1980 to 22% in 1999, and the proportion of simple assaults rose from 21% to 30% over the same period.¹⁷ However, the female percentage of robbery arrests grew only marginally during this period (from 7% to 9%), reinforcing the assertion that this trend does not necessarily represent a pervasive increase in female violence in general.¹⁸

One possible explanation suggested for this recent increase in female assault arrests is the changing response of law enforcement to domestic violence.¹⁹ Domestic violence underlies a larger proportion of female crimes of violence than male crimes, and changing public policy factors may contribute to the growing domestic violence arrest rates. For example, mandatory arrest laws for domestic incidents and an increased willingness of citizens to report domestic incidents to authorities and for law enforcement to intervene may have a significant affect on the number of female arrests.

It is also important to recognize that the disproportional growth in juvenile female violent crime has not extended to homicide.²⁰ The total number of homicide victims nationwide has remained steady for females since the mid-1980's, while for males it has more than doubled.²¹ Moreover, the juvenile female homicide offender is far more likely to kill a family member (39% of cases) than the male offender (9% of cases), suggesting that this pattern of behavior may also be consistent with females who were victims of domestic violence.²²

The trends in female violent crime have also been observed in the Commonwealth. The DJJ reports that assault was the most frequent person-oriented felony committed by females in FY02, while male offenders were more likely to commit robbery.²³ Moreover, a reciprocal effect was observed; the percentage of females with assault as their most serious person offense was more than twice that of males, while the percentage of males committed with the most serious offense of robbery was twice that of females.²⁴

It is also important to recognize that kidnapping and murder constituted less than 6% of juvenile male person felonies in Virginia, and there were no females committed for either of these two offenses.²⁵ However, it also should be noted

¹⁷ Ibid.

¹⁸ Ibid.

¹⁹ Ibid.

²⁰ Office of Justice Programs. (1998). *Women in Criminal Justice: A Twenty Year Update*, [Online]. Available: <http://www.ojp.usdoj.gov/reports/98Guides/wcjs98/> [October 2002].

²¹ Ibid.

²² Ibid.

²³ Virginia Department of Juvenile Justice.

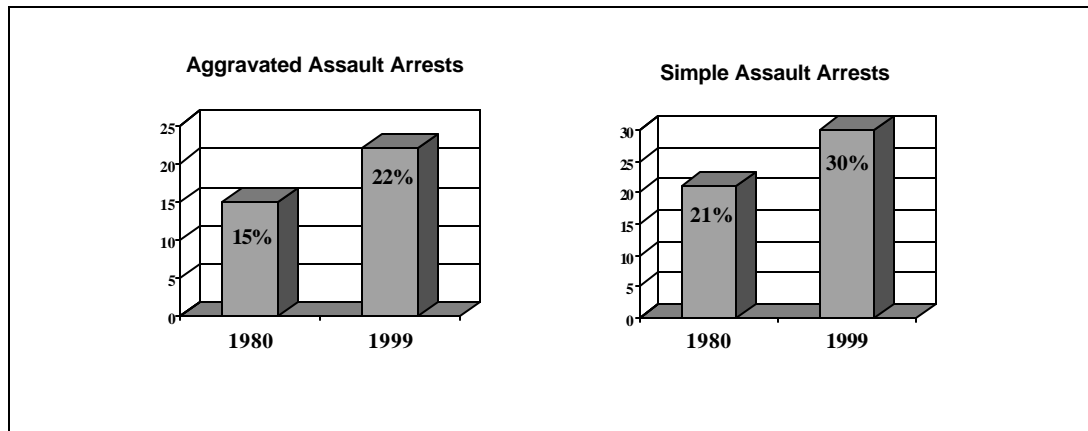
²⁴ Ibid.

²⁵ Ibid.

that these numbers do not reflect those juveniles who were transferred to circuit court and processed in the adult criminal justice system.

Table 4

**Percentage of Growth in Female Aggravated Assault Arrests
1980 – 1999**



Source: Office of Juvenile Justice and Delinquency Programs. (2001). *Law Enforcement and Juvenile Crime, in Juvenile Offenders and Victims: National Report Series Bulletin*. December 2001.

2. Property Crime

The juvenile male and female property crime rates began to converge during the period from 1980 to 1999.²⁶ The male rate fell 41% during this period, while the female rate increased by 8%.²⁷ In 1980, the juvenile male arrest rate for property crime index offenses was four times the female rate.²⁸ By 1999, the male rate was just twice the rate.²⁹

In Virginia, property crimes were the most serious offense for 39% of the females admitted in FY02.³⁰ The percentage of males with property offenses as their most serious charge was 42%. It should also be noted that males were slightly more likely than females to be charged with felony property charges.³¹

3. Public Order Violations

The proportion of juvenile female arrests also increased nationally for public order violations such as vandalism, weapons, liquor law violations, and curfew and loitering law violations.³² Moreover, throughout the period from 1980 to 1999,

²⁶ Snyder, *Law Enforcement and Juvenile Crime*.

²⁷ Ibid.

²⁸ Ibid.

²⁹ Ibid.

³⁰ Virginia Department of Juvenile Justice.

³¹ Ibid.

³² Snyder, *Law Enforcement and Juvenile Crime*.

females represented the majority of juveniles arrested for running away from home.³³

This trend has also been observed in Virginia. "Miscellaneous"³⁴ offenses, which include many of these charges, were the second most frequent category of misdemeanor charges against female offenders (26%), second only to property offenses (47%).³⁵ However, this category of offenses constituted a much smaller proportion of male misdemeanor charges (13%), which were primarily person (43%) and property (36%) offenses.³⁶

B. DISPOSITIONS FOR JUVENILE FEMALE OFFENDERS

The gender differences experienced by juveniles also extend to the dispositional phase of the juvenile justice process. Studies indicate that females receive less severe treatment than males throughout all of the stages of court processing.³⁷

1. Intake and Formal Processing

Research has found that females are less likely than males to be formally processed with the filing of a delinquency petition, and when handled formally, their cases are less likely to result in a juvenile court adjudication.³⁸ In 1993, for example, only 43% of female cases resulted in a juvenile court petition, and only 53% of those who received petitions were formally adjudicated.³⁹ In comparison, 56% of male cases resulted in a petition, 59% of which were formally adjudicated.⁴⁰

³³ Ibid.

³⁴ Miscellaneous offenses include: Abuse, Accessory, Alcohol, Disorderly Conduct, Escape, Family Offenses, Hit and Run, Obstruction of Justice, Obscenity, Reckless Driving, Riot and Unlawful Assembly, Sex Offenses, and Telephone Offenses.

³⁵ Virginia Department of Juvenile Justice.

³⁶ Ibid.

³⁷ Office of Juvenile Justice and Delinquency Prevention. (1996). *Female Offenders in the Juvenile Justice System: Statistics Summary*. Washington, D.C.: U.S. Department of Justice.

³⁸ Ibid.

³⁹ Ibid.

⁴⁰ Ibid.

Table 5

**Juvenile Court Processing of Delinquency Cases by Gender
1993**

Most Serious Offense	Percent of Cases Petitioned		Percent of Petitioned Cases Adjudicated	
	<u>Female</u>	<u>Male</u>	<u>Female</u>	<u>Male</u>
Total Cases	43%	56%	53%	59%
Person	47	60	49	55
Property	38	53	51	60
Drugs	49	63	53	60
Public Order	51	56	60	62

Source: National Center for Juvenile Justice. (1993). *National Juvenile Court Data Archive: Juvenile Court Case Records 1993*.

However, while there is less likelihood of formal handling for female offenders in comparison to males, the number of formal female delinquency cases has shown substantial growth. Between 1988 and 1997, the number of delinquency cases involving females increased nationwide by 83%.⁴¹

Also noteworthy is the fact that females are petitioned for different types of offenses than their male counterparts. Females are more likely to be petitioned for cases involving public order offenses, while males are most often petitioned for drug law violations.⁴² However, the probability of adjudication was greatest for cases involving public order offenses for both males and females.⁴³

2. Formal Adjudication

More than half (53%) the cases involving females that were formally processed in 1997 resulted in a delinquency adjudication.⁴⁴ Research has found that these females upon being formally adjudicated face different placement options than their male counterparts. As shown in Table 6, probation was the most frequent disposition received by female offenders (60%), followed by placement in a residential facility (22%). Only 4% of the female delinquency adjudications resulted in dismissal.

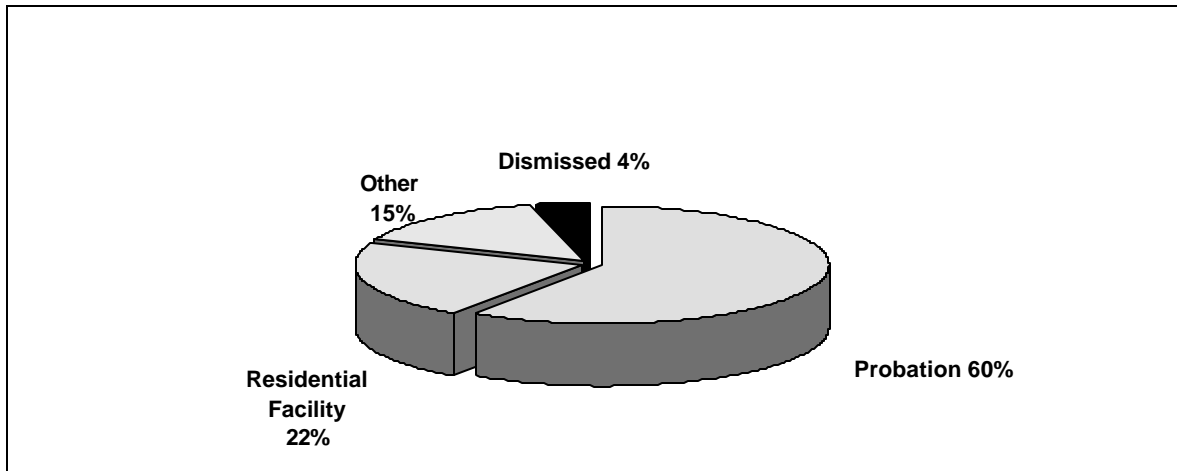
⁴¹ Office of Juvenile Justice and Delinquency Prevention. (2000). *Female Delinquency Cases, 1997, in OJJDP Fact Sheet*, November 2000. Washington, D.C.: U.S. Department of Justice.

⁴² Office of Juvenile Justice and Delinquency Prevention, *Female Offenders*.

⁴³ Ibid.

⁴⁴ Ibid.

Table 6
Juvenile Female Dispositions
in 1997



Source: Office of Juvenile Justice and Delinquency Prevention. (2000). *Female Delinquency Cases, 1997*, in *OJJDP Fact Sheet*. November 2000.

Probation

The most noticeable gender difference in juvenile court dispositions was that adjudicated females were more likely than males to receive a sentence of formal probation. In 1993, 60% of female offenders received probation as the most restrictive disposition, as opposed to 55% of males.⁴⁵ The number of females placed on probation has also increased at a faster rate than males. Between 1989 and 1993, the number of female cases receiving formal probation increased by 26%, in comparison to a 16% increase for males.⁴⁶

Secure Detention

In 1997, 15% of female juvenile offenders were securely detained.⁴⁷ Detention was most often used for public order offenses (21%), person offenses (18%), and drug violations (16%).⁴⁸ The rate of detention for females increased 65% between 1988 and 1997, with the number of African-American females increasing at a greater rate (123%) than white females (41%).⁴⁹

Research also indicates that female offenders are less likely than males to be removed from their homes and placed in detention at any point during the adjudicative process.⁵⁰ In 1993, secure detention was used at some point

⁴⁵ Ibid.

⁴⁶ Ibid.

⁴⁷ Office of Juvenile Justice and Delinquency Prevention, *Female Delinquency Cases*.

⁴⁸ Ibid.

⁴⁹ Ibid.

⁵⁰ Office of Juvenile Justice and Delinquency Prevention, *Female Offenders*.

between referral and disposition in 22% of male delinquency cases, as opposed to 16% of female cases.⁵¹

Also noteworthy was the fact that there were striking gender differences in the use of detention when the most serious alleged charge was violation of probation or parole. In 1993, 24% of the females in detention were charged with a probation or parole violation, as opposed to 12% of male juveniles.⁵²

Residential Placements

Females also accounted for a much smaller percentage of residential placements. In 1999, 1 in 7 juveniles (14%) in residential placement was female.⁵³ However, it should be noted that the number of females placed in these facilities is increasing at a substantial rate. Between 1988 and 1997, the number of cases in which the court ordered females to be placed in a residential facility increased 105%.⁵⁴

Long-Term Custody (Commitment)

Male offenders were more likely than females to be committed following juvenile court adjudication and disposition (29% and 23%, respectively), regardless of the seriousness of the offense charged.⁵⁵ However, while the overall number of commitments increased by 11% for both males and females, variations were observed in different offense categories. For example, as shown in Table 7, between 1989 and 1993, the increase in the number of commitments for female person offense cases (rising from 17 to 25%) was nearly twice the increase of that among males (rising from 19 to 23%).⁵⁶ In contrast, females showed greater declines in commitment rates for drug offenses than males during this period.⁵⁷

The Virginia Department of Juvenile Justice reports that the average length of stay for females released in FY02 was nine months, while for males it was 13 months.⁵⁸ Data also indicates that 84% of females had a maximum assigned length of stay of 18 months or less, compared to 61% of males.⁵⁹ Moreover, males were five times more likely to receive determinate sentences—10.2% of male offenders received a determinate length of stay, as opposed to 2.0% of females.⁶⁰

⁵¹ Ibid.

⁵² Ibid.

⁵³ National Center for Juvenile Justice. (2002). *Frequently Asked Questions: Female Offenders*. [Online]. Available: <http://brendan.ncjfcj.unr.edu/homepage/ncjj/ncjj2/faq/femaleoffenders.htm> [October 2002].

⁵⁴ Office of Juvenile Justice and Delinquency Prevention, *Female Offenders*.

⁵⁵ Ibid.

⁵⁶ Ibid.

⁵⁷ Ibid.

⁵⁸ Virginia Department of Juvenile Justice.

⁵⁹ Ibid.

⁶⁰ Ibid.

Table 7
Percent of Adjudicated Delinquency Cases Resulting in
Out-of-Home Placement by Gender
1989 and 1993

Most Serious Offense	Female		Male	
	1989	1993	1989	1993
Total Cases	26%	23%	31%	29%
Person	25	24	35	32
Property	20	18	26	26
Drugs	30	23	36	30
Public Order	37	31	39	35

Source: National Center for Juvenile Justice. *National Juvenile Court Data Archive: Juvenile Court Case Records 1993*.

Table 8
Offense Profile of Adjudicated Delinquency Cases Resulting in Out-
of-Home Placement by Gender,
1989 and 1993

Most Serious Offense	Female		Male	
	1989	1993	1989	1993
Person	17%	25%	19%	23%
Property	39	37	49	46
Drugs	7	4	10	8
Public Order*	36	34	22	23
Total Cases	100%	100%	100%	100%

*Includes probation/parole violations.

Source: National Center for Juvenile Justice. *National Juvenile Court Data Archive: Juvenile Court Case Records 1993*.

Transfer to Criminal Court

Females were also far less likely to be transferred to criminal (adult) court.⁶¹ Nationally, only 0.3% of delinquency cases involving females were judicially transferred to criminal court, compared with 1.7% of male cases.⁶² This trend has also been observed in Virginia. The Virginia Department of Juvenile Justice reports that in FY02, male commitments came from circuit court nearly twice as often as female commitments (14.4% of males, compared to 7.4% of females).⁶³

⁶¹ Office of Juvenile Justice and Delinquency Prevention, *Female Offenders*.

⁶² Ibid.

⁶³ Ibid.

C. CHARACTERISTICS OF JUVENILE FEMALE OFFENDERS

While it is difficult to create a model of the typical female offender due to the diversity of the population, studies recognize the existence of certain common characteristics. Female offenders are more likely to be women of color, to have come from economically disadvantaged families, to have had notable difficulties in school, and to have been victims of abuse.⁶⁴ These and other findings are discussed further below.

1. Age

The age demographic of female offenders admitted to the juvenile justice system has not changed significantly over the last two decades.⁶⁵ Females involved with the justice system are most likely to fall between the ages of 15 and 17.⁶⁶ However, beginning in the 1980's, girls began entering the justice system at earlier ages. The majority of females (62%) who were charged with delinquent acts in 1997 were under the age of 16.⁶⁷

These trends are not only true nationally, but have also been observed here in the Commonwealth. The DJJ reports that 83% of the females admitted to the system in FY02 fell within the age range of 15 and 17 years.⁶⁸ However, the average age of first arrest for females was 12 years in FY02, as opposed to 13 years for males. In addition, approximately 67% of the admitted females were first arrested between the ages of 12 and 14, as opposed to 54% of males.

Nonetheless, it is important to note that less than six percent of the females committed to the DJJ in FY02 were under the age of 14.⁶⁹ Thus, while female offenders are experiencing their first contact with the system at younger ages, they are less likely to be formally processed until they reach the age of 15.

⁶⁴ National Mental Health Association. (1999). *Mental Health and Adolescent Girls in the Justice System*. [Online]. Available: <http://www.nmha.org/children/justjuv/girlsjj.cfm> [October 2002]

⁶⁵ Office of Juvenile Justice and Delinquency Prevention. (1998). *Juvenile Female Offenders: A Status of the States Report*.

⁶⁶ Office of Juvenile Justice and Delinquency Prevention, *Female Offenders*.

⁶⁷ Office of Juvenile Justice and Delinquency Prevention, *Female Delinquency Cases*.

⁶⁸ Virginia Department of Juvenile Justice.

⁶⁹ Ibid.

Table 9
Demographics of Juvenile Female Offenders in Virginia
FY02

Race	Female Offenders		Male Offenders	
	Number	Percent	Number	Percent
White	71	47.7	364	34.0
Black	73	49.0	662	61.8
Other/Unknown	5	3.4	45	4.2
Age at Commitment				
11-12	3	2.0	6	0.6
13	5	3.4	31	2.9
14	16	10.7	94	8.8
15	34	22.8	192	17.9
16	40	26.9	320	29.9
17	50	33.6	366	34.2
18+	1	0.7	62	5.8

Source: Virginia Department of Juvenile Justice. (2002). *Profile of Female Offenders in Virginia*.

2. Race

Females of color are more likely to be involved in the juvenile justice system, and this racial disparity appears to be increasing. The Office of Juvenile Justice and Delinquency Prevention has reported that, while the overall number of juvenile female delinquency cases increased from 1988 to 1997, there were significant racial differences in the level of growth.⁷⁰ For African American juvenile females, the number of delinquency cases rose 106% during this period, and for Hispanic females it increased 102%.⁷¹ However, white females demonstrated only a 74% increase.⁷²

This disparity is not as salient in Virginia. Data from the Department of Juvenile Justice demonstrates that there is greater racial equity in female offender populations than in the population of juvenile male offenders.⁷³ Juvenile female offenders are only slightly more likely to be African American than white (49% and 48%, respectively) while male offenders are significantly more likely to be African American (62% African-American, compared to 34% white).⁷⁴

D. PATHWAY INTO THE SYSTEM

Research indicates that females tend to follow a unique route into the juvenile justice system. Generally, there is a convergence of traumatic experiences and risky behaviors in early adolescence, typically between the ages of 12 and 14

⁷⁰ Office of Juvenile Justice and Delinquency Prevention, *Female Delinquency Cases*.

⁷¹ Ibid.

⁷² Ibid.

⁷³ Virginia Department of Juvenile Justice.

⁷⁴ Ibid.

years.⁷⁵ It is during these formative years that females are at the highest risk for school failure, running away, and out-of-home placement.⁷⁶

The juvenile court and social service systems first see most females for status offenses—running away, truancy, curfew violation, etc.⁷⁷ Once placed on probation, any subsequent offense, even another status offense, becomes a violation of court order and leads to greater involvement in the juvenile justice system. This technique, commonly referred to as “bootstrapping,” results in young women who have not committed anything more than a status offense receiving a delinquency petition for a violation of court order, which often results in commitment.⁷⁸

This method of entry by females into the juvenile justice system has also been recognized in Virginia. The Department of Juvenile Justice reports that females are more likely than their male counterparts to enter the justice system without a felony adjudication in either their current or prior offenses.⁷⁹ In FY02, 36% of females were admitted to the DJJ for a misdemeanor offense, as opposed to 25% of male juveniles.

It is important to note, however, that the commitment of both male and female juveniles for misdemeanor offenses has decreased by more than 50% in Virginia since FY98.⁸⁰ In FY98, 51.4% of females and 26.4% of males were committed with no felony adjudications. However, in FY02 only 18.1% of females and 10.0% of males were admitted based solely on misdemeanor charges. A portion of this decline is attributable to a statutory change made in July 2000, which altered commitment eligibility for juveniles from two Class 1 misdemeanor offenses to four.⁸¹ As a result, between FY00 and FY01, female commitments decreased by 15.1% and male commitments decreased by 6.4%.

E. FACTORS RELATED TO FEMALE OFFENDING

Upon entering the justice system, females bring with them a myriad of complex personal issues. These are often the direct result of a series of life experiences that have placed them on a unique and direct route to delinquency.

⁷⁵ Acoca, Leslie. (1999). *Investing in Girls: A 21st Century Strategy*, in *Juvenile Justice*, 6:1. [Online]. Available: <http://www.ncjrs.org/html/ojjdp/jjjjournal1099/> [October 2002].

⁷⁶ Office of Justice Programs, *Women in Criminal Justice*.

⁷⁷ Office of Juvenile Justice and Delinquency Prevention, *Status of the States Report*.

⁷⁸ Office of Justice Programs, *Women in Criminal Justice*.

⁷⁹ Virginia Department of Juvenile Justice.

⁸⁰ Ibid.

⁸¹ Ibid. See also Va. Code § 16.1-278.8(A)(14).

1. Family Fragmentation and Dysfunction

One of the most noteworthy characteristics of female offenders is a shared lack of family stability and the experience of early childhood stressors.⁸² National research indicates that female offenders are more likely to have come from a single parent home and to have lived in a poor, inner city neighborhood.⁸³ Moreover, their families are more likely to have been subject to a wide range of stressors, including poverty, death, and an intergenerational pattern of criminal behavior.⁸⁴

Juvenile female offenders in Virginia report similar experiences of family dysfunction. In FY02, female offenders were more likely than males to have parents who had previously been placed in outpatient mental health treatment, had abused substances, had a criminal history, or had abandoned or rejected them.⁸⁵ Furthermore, 38% of all juvenile offenders in Virginia had parents who had previously been incarcerated.⁸⁶

Additionally, females were much more likely to have lived in a non-family environment at some point prior to commitment.⁸⁷ The most common living situation for females directly preceding commitment to the Department of Juvenile Justice in FY02 was AWOL (runaway) (25.6%). Moreover, compared to males, females were twice as likely to have been placed in a group home or psychiatric facility at some point in their past (52% versus 26%), and were much more likely to have lived in a foster home (19% versus 9%). Females were also more likely than males to be living in a group home or psychiatric facility at the time of commitment (over 5% of females, compared to 2.5% of males). In contrast, male offenders were more likely to be living with one or both parents, or in a parent/stepparent home (approximately 28%).

2. Abuse and Exploitation

Numerous national studies have found that juvenile females are much more likely to have been a victim of sexual and/or physical abuse or exploitation than males. Statistics regarding the incidence of abuse in the backgrounds of juvenile female offenders range from a low of 40% to a high of 73%.⁸⁸ This research also indicates that family members or close family friends most often perpetrate the abuse.⁸⁹

Female offenders in Virginia report a similar incidence of abuse. Data from the Virginia Department of Juvenile Justice indicates that 33% of the females

⁸² Office of Justice Programs, *Women in Criminal Justice*.

⁸³ Ibid.

⁸⁴ Acoca, *Investing in Girls*.

⁸⁵ Virginia Department of Juvenile Justice.

⁸⁶ Ibid.

⁸⁷ Ibid.

⁸⁸ Office of Justice Programs, *Women in Criminal Justice*.

⁸⁹ Ibid.

admitted in FY02, as opposed to 8% of males, reported some form of prior sexual abuse.⁹⁰ The perpetrators of this abuse included parents, acquaintances, and other family members and strangers.⁹¹

These findings are disturbing, as they suggest that early childhood victimization is significantly correlated to subsequent involvement with the juvenile justice system.⁹² This correlation can be intuitively explained. Abuse is a primary cause for running away from home, which is the status offense that most frequently serves as a female's entry into the justice system.⁹³ A 1996 study by Acoca and Austin provided evidence of this sequence, as it found that one in four (26.7%) of the women interviewed reported that their involvement with the justice system started with being labeled as a status offender, most often following an incident in which they ran away from home.⁹⁴ Additionally, abuse has been found to lead to patterns of risky and self-destructive behavior in females, such as substance abuse, theft, and prostitution, which also frequently lead to involvement with the juvenile justice system.⁹⁵ Moreover, as previously discussed, female offenders are more likely to commit violent felonies against family members, which frequently culminate as the result of chronic domestic abuse.⁹⁶

3. Academic Failure

Academic failure places juvenile females at great risk for the early onset of delinquency. The study by Acoca and Austin found that more than 25% had either been placed in special classes in school or had repeated a grade.⁹⁷ More than one-fourth of the women in the study reported experiencing this type of school failure for the first time between the ages of 8 and 9 years.⁹⁸

Research also suggests that learning disabilities may contribute to the academic failure displayed by this population of juvenile females. Studies show that a disproportionate number (26%) of female offenders have learning disabilities.⁹⁹ These females often develop negative attitudes toward school and fall below grade level in their studies. This is demonstrated by the fact that nearly half of the women interviewed in the Acoca and Austin study had been

⁹⁰ Virginia Department of Juvenile Justice.

⁹¹ Ibid.

⁹² Office of Justice Programs, *Women in Criminal Justice*.

⁹³ Ibid.

⁹⁴ Acoca, Leslie and James Austin. (1996). *The Crisis: Women In Prison*. Draft report submitted to the Charles E. Culpepper Foundation, San Francisco, CA: National Council on Crime and Delinquency.

⁹⁵ Office of Justice Programs, *Women in Criminal Justice*.

⁹⁶ Ibid.

⁹⁷ Acoca and Austin, *The Crisis: Women In Prison*.

⁹⁸ Ibid.

⁹⁹ Office of Juvenile Justice and Delinquency Prevention. (1994). *State Summary: Survey of Conference Participants*. Minneapolis, MN: Gender-Specific Services Training and Technical Assistance Workshop.

suspended or expelled from school at some point, with the first instance most often around the age of 13.¹⁰⁰

This academic failure can have serious consequences for future opportunities. National data indicates that female high school dropouts are more likely to get involved with the justice system.¹⁰¹ Moreover, academic failure has been closely linked to underemployment and unemployment.¹⁰²

Academic difficulties are also prevalent in the juvenile female offender population in Virginia. The Department of Juvenile Justice reports that 72% of the female offenders admitted in FY02 had moderate or severe school attendance problems.¹⁰³ Furthermore, while 80% of the male and female commitments were between the ages of 15 and 17, only 33% of females had completed the eighth grade and 42% tested at or below the 5th grade level for writing.

However, it should be noted that juvenile female offenders in Virginia perform better on educational tests than their male counterparts. In FY02, females tested higher than males in reading, writing, and mathematics on the Woodcock-Johnson achievement test, which was administered at the DJJ's Reception and Diagnostic Center.¹⁰⁴

4. Substance Abuse

Substance abuse is particularly prevalent in the juvenile female offender population. Studies have reported that as many as 60 to 87% of adolescent female offenders need substance abuse treatment.¹⁰⁵ Many of these girls may be using substances in an attempt to cope with stress or to "self-medicate" in response to mental health difficulties such as anxiety and depression.¹⁰⁶ Moreover, research has shown a strong correlation between substance use and exposure to trauma and abuse.¹⁰⁷

Substance abuse is also an acute problem for female offenders in Virginia. The Virginia Department of Juvenile Justice reports that in FY02, 56% of female offenders met the DSM-IV criteria for substance abuse or dependence, making it one of the most prevalent psychiatric disorders in the female population.¹⁰⁸

¹⁰⁰ Acoca and Austin, *The Crisis: Women In Prison*.

¹⁰¹ Office of Justice Programs, *Women in Criminal Justice*.

¹⁰² Office of Juvenile Justice and Delinquency Prevention. (1998). *Guiding Principles for Promising Female Programming: An Inventory of Best Practices*. [Online]. Available: <http://www.ojjdp.ncjrs.org/pubs/principles/contents.html> [October 2002].

¹⁰³ Virginia Department of Juvenile Justice.

¹⁰⁴ Ibid.

¹⁰⁵ National Mental Health Association.

¹⁰⁶ Ibid.

¹⁰⁷ Ibid.

¹⁰⁸ Virginia Department of Juvenile Justice.

5. Teen Pregnancy and Parenthood

Some juvenile female offenders are pregnant or are mothers when they enter the juvenile justice system.¹⁰⁹ The Virginia Department of Juvenile Justice reports that there are typically between two and five females per year (approximately 1 to 3% of the total female population) that are pregnant when brought into the Reception and Diagnostic Center.¹¹⁰ Moreover, in FY02, 11 of the 149 females (7%) admitted to the DJJ were mothers.¹¹¹ Overall, the percentage of mothers in the juvenile offender population is more than twice the statewide percentage of teen pregnancies in 2000 (3.1%).¹¹²

Research has attributed the high incidence of motherhood in the juvenile female offender population to the fact that these females engage in high-risk behaviors such as sexual activity at an earlier age than most non-offenders, placing them at a higher risk.¹¹³ Virginia data supports this theory. Nearly one-third of female offenders admitted to the Department of Juvenile Justice in FY02 reported having their first sexual intercourse experience before the age of 14.¹¹⁴

It is important to note that research has shown that the children of these adolescent mothers are more likely to end up in prison.¹¹⁵ Moreover, a higher percentage of juvenile female offenders report having a parent who was once incarcerated.¹¹⁶ These findings suggest that a cycle exists in which family fragmentation and criminal behavior extend to the next generation.¹¹⁷ This pattern may also exist in Virginia. As discussed previously, 38% of incarcerated juvenile offenders had parents who were once incarcerated.¹¹⁸

This cycle could be related to numerous societal factors. For many of these young women, pregnancy guarantees a life of poverty and reliance on government assistance.¹¹⁹ Teen mothers are likely to drop out of high school and remain single, and studies have found that their average yearly income falls well below the poverty line (approximately \$5,600).¹²⁰ Thus, their children grow up in

¹⁰⁹ Office of Justice Programs, *Women in Criminal Justice*.

¹¹⁰ *Ibid.*

¹¹¹ Virginia Department of Juvenile Justice.

¹¹² Virginia Center for Health Statistics. (2000). *Teenage Pregnancies—By Age, 2000*. [Online]. Available: <http://www.vdh.state.va.us/stats/Stats.htm> [October 2002]. The 2000 data is the most recent that is currently available.

¹¹³ Office of Juvenile Justice and Delinquency Prevention, *Guiding Principles for Promising Female Programming*.

¹¹⁴ *Ibid.*

¹¹⁵ *Ibid.*

¹¹⁶ Acoca, *Investing in Girls*.

¹¹⁷ *Ibid.*

¹¹⁸ Virginia Department of Juvenile Justice.

¹¹⁹ Office of Juvenile Justice and Delinquency Prevention, *Guiding Principles for Promising Female Programming*.

¹²⁰ *Ibid.*

an environment of economic deprivation and increased family stress, which may contribute to the likelihood of delinquent behavior.

Few programs exist for pregnant girls and teenage mothers in the juvenile justice system, and those that do tend to have long waiting lists and funding difficulties.¹²¹ Pregnant juvenile female offenders in Virginia that are confined receive assistance from the High Risk Pregnancy Clinic at the Medical College of Virginia (MCV), and volunteers from MCV provide additional counseling, education and support to expectant mothers.¹²²

6. Psychological Disturbance

An overwhelming majority of juvenile female offenders present psychological disturbances. Research has found that factors such as poor self-image, depression, and anxiety are common problems among female offender populations.¹²³ As discussed previously, many of these female offenders are victims of dysfunctional families and have suffered from neglect, pregnancy, and/or violence, and consequently are emotionally disturbed and have low or damaged self-esteem.¹²⁴

The high incidence of mental disorders has also been found among juvenile female offenders in Virginia. According to the Department of Juvenile Justice, 93% of females, as compared to 59% of males, left the Reception and Diagnostic Center in FY01 with an identified mental health treatment need.¹²⁵ Moreover, between 90% and 95% of females were provided with mental health or substance abuse services through the Behavioral Services Unit once they were placed in state custody.

The most prevalent psychiatric disorders in the female population of juvenile offenders in Virginia in FY02 were behavior disorders (85%), substance abuse disorders (56%), mood disorders (54%), and anxiety disorders (17%).¹²⁶ Additionally, over two-thirds of these females (67%) would qualify for at least one other DSM-IV mental health disorder if the most common behavioral diagnoses were eliminated, compared to just over half of males (55%).

One of the most significant differences between male and female mental health treatment needs is the prevalence and severity of mood disorders. The incidence of these disorders is much higher in the female offender population (54% of females, as opposed to 32% of males).¹²⁷ Moreover, the Department of Juvenile Justice reports that in FY01 approximately 26% of female offenders reported a prior suicide attempt, as opposed to 4% of males. Furthermore, the

¹²¹ Office of Justice Programs, *Women in Criminal Justice*.

¹²² Virginia Department of Juvenile Justice.

¹²³ National Mental Health Association.

¹²⁴ Office of Justice Programs, *Women in Criminal Justice*.

¹²⁵ Virginia Department of Juvenile Justice.

¹²⁶ Ibid.

¹²⁷ Ibid.

incidence of suicide attempts in the female offender population appears to be growing: from FY93 to FY01, the number of female suicide attempts increased by 9.4%, compared to a 0.8% increase for males.

The Department of Juvenile Justice also reported that in FY02, 50% to 60% of females were seen by the consulting psychiatrist for medication management.¹²⁸ Females were more likely than males to have taken psychotropic medications such as anti-depressants, anti-anxiety drugs, and anti-psychotic medication. In contrast, males were more likely to have been given stimulants. However, it is important to note that over the past nine fiscal years, there has been a four-fold increase in anti-depressant usage for both males and females.

Female offenders have historically been more likely to receive psychiatric hospitalization than male offenders. However, the rate of prior psychiatric hospitalization has almost doubled for male offenders during the period from FY93 to FY01, rising from 14.8% to 29.3%.¹²⁹ In contrast, this rate has remained fairly constant (approximately 30%) for females during the same period. This data would suggest that the severity of psychiatric difficulties is increasing in the male offender population.

F. TREATMENT OPTIONS FOR JUVENILE FEMALE OFFENDERS IN VIRGINIA

The Department of Juvenile Justice provides a number of services that are specifically designed to meet the needs of female offenders. These programs are designed to address topics such as parental responsibility, child rearing, negative male influences, and the female role.¹³⁰

There are also specific facilities and programs that are tailored to offenders with special needs. Females with serious mental health problems who cannot function within the general population are placed in a special 10-bed psychiatric unit.¹³¹ These offenders participate in programs such as incentive-based programming, daily therapy groups, individual therapy (at least once a week), and individualized treatment plans. Once a female is placed in this unit, the goal is to stabilize her condition sufficiently to prepare her for return to the general population.

Females with a dual diagnosis of substance abuse and a mental health disorder are also removed from the general population and placed in a special treatment program.¹³² These females reside in a 24-bed specialized unit that

¹²⁸ Ibid.

¹²⁹ Ibid.

¹³⁰ Ibid.

¹³¹ Ibid.

¹³² Ibid.

offers daily therapy groups, individual weekly therapy, weekly Alcoholics Anonymous (AA) groups, and family therapy (when the family is available).

There is also a mandatory program for all females with a history of violence.¹³³ These offenders are required to complete a 9-month moral reasoning program, which focuses on understanding the impact of their violence on the victim and victim's family and dealing with their own attitudes and beliefs.

The Department of Juvenile Justice has also recognized the distinct health needs that exist in the female population. Thus, it provides females with a comprehensive physical and dental exam upon commitment, including a gynecological exam, pregnancy test, and screenings for sexually transmitted diseases.¹³⁴ Furthermore, any juveniles requiring treatment beyond the capability of the facility's health suite are referred to community-based services.

G. CONCLUSION

Because males and females find their way into the juvenile justice system for different reasons, in different ways, and at different rates, policymakers must explore the needs of both groups to ensure that they are being adequately considered in policy and programming. Given the growing population of female offenders in Virginia and nationwide, the challenge to policymakers is to further promote the efforts of the Department of Juvenile Justice to identify and incorporate the most effective rehabilitative strategies for the female offender population.

At the heart of any juvenile justice system is the need to hold offenders accountable while also providing the necessary prevention, intervention, and treatment. Thus, in order to be most effective, the Virginia juvenile justice system must continue to consider the special needs of females, helping to encourage growth in self-control and responsibility. In order to do so, a certain amount of nurturance and rehabilitation is necessary. The majority of females end up in the juvenile justice system following exposure to terrible circumstances, and these issues must be addressed in order for these young women to become healthy, responsible adults.

IV. Acknowledgments

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Lynette Greenfield, Planning and Evaluation Unit Manager

Deron Phipps, Legislative Liaison

¹³³ Ibid.

¹³⁴ Ibid.

For additional information, see the following sources:

Hsia, Heidi M. and Beyer, Marty. (2000). *System Change Through State Challenge Activities: Approaches and Products*, Juvenile Justice Bulletin, March 2000, available at: http://www.ncjrs.org/html/ojjdp/jjbul2000_03_3/contents.html.

National Center for Juvenile Justice, *Frequently Asked Questions: Female Offenders*, May 2002, available at:
<http://brendan.ncjfcj.unr.edu/homepage/ncjj/ncjj2/faq/femaleoffenders.htm>.